STATE BOARD ADVISORY PANEL FOR SPECIAL EDUCATION

The Arizona State Advisory Panel for Special Education held a meeting at the Arizona Dept. of Education, 1535 W. Jefferson, Room 417, Phoenix, Arizona, on March 5, 2013, from 9:30 am – 3:30 p.m.

Members Present Others Present Lisa Bernier Angela Denning, ADE/ESS Cynthia Bolewski, ADE/ESS M. Diane Bruening, Ed.D. Holly Ford, ADE/ECSE Patricia L. Carey Ronald L. Clanton Jeannette Zemeida, ADE/ESS Susan Douglas **David Kendall Grant** Ashley Hafner Amanda Heyser Gail Jacobs, Ed.D., Co-Chair Dr. Ida Malian, Vice Chairperson Leanne Murrillo Edward O'Neill Laura Schweers **Christopher Tiffany** Amy Vanderluit Nancy K. Williams, Co-Chair Members Absent Robert Hill, Ed.S. Sharon Lynch Kimberly A. Peaslee Minutes Approved (As Read)(As Amended)

Date

Chairperson:

Signature

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Outcome Topic Discussion Call to order. Nancy Williams, Co-Chair, called the meeting to order at 9:35 a.m. None. Approval of January 15, Patricia Carey made a motion which was seconded by Susan Douglas to approve the minutes of the Motion carried. 2013 minutes. January 15, 2013 meeting. The motion was approved. Common Core/PARCC Audra Ahumada, AIMS A Coordinator, Arizona Department of Education (ADE) updated the Panel on 3. None. Assessment. the development of the assessments for the Common Core Standards. The National Center and State Collaborative (NCSC) is the alternate assessment consortia. NCSC will deliver an alternate assessment in Mathematics and English Language Arts (ELA) in grades 3-8 and 11th grade. This is a change for the high school level. The alternate assessment is currently being conducted at the 10th grade level. Current assessments include reading, math, and science. Arizona will continue with the alternate assessment science test but will move to NCSC for math, reading and writing. The current alternate assessment test questions are given to all students who qualify for the test. For the new alternate assessment NCSC is considering including four complexity levels. An embedded locater text, in combination with classroom data, will help to determine the level of complexity and the length of the summative assessment for the student. NCSC is identifying this test as quasi-adaptive because not every student will enter in at the same level, but there is a possibility that students would go through a different alternate pathway based on their ability levels. [Ron Clanton arrived at 9:50 a.m.] **SEAP Member** Dr. Ida Malian announced that terms will end on June 30, 2013 for the following members: None. Updates. Parents of Children with Disabilities Ron L. Clanton Sharon R. Lynch Amy Vanderluit Representatives of Institutions of Higher Learning that Prepare Special Education and Related Services Personnel Dr. Ida Malian Representative of Private School

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Lisa Bernier

Representatives of a Vocational, Community, or Business Organization Concerned with the Provision of Transition Services to Children with Disabilities

Laura Schweers

Representative from the State Juvenile Detention Agency

Dr. Gail Jacobs

These individuals may reapply for their positions. Dr. Malian encouraged Panel members to send recommendations for vacant position to the Department of Education, Exceptional Student Services.

Ms. Williams announced that Dr. Jacobs has retired from her position at the Arizona Department of Juvenile Corrections (ADJC). Due to her retirement from ADJC, Dr. Jacobs submitted her resignation from SEAP.

The election of a new co-chair was necessary due Dr. Jacobs' resignation from the Panel.

Ms. Williams reviewed the duties of the co-chair. This is typically a two-year term; however, this term will end June 30, 2014 as the individual elected will be completing Dr. Jacobs' term. Dr. Malian opened the floor for nominations of the co-chair. Ms. Douglas nominated Dr. Ida Malian for the position. Dr. Malian nominated Dr. Diane Bruening for the position. (Dr. Bruening was not present to accept or decline the nomination.) David Kendall Grant nominated himself for the position. The following individuals declined their nomination: Ms. Douglas, Christopher Tiffany and Lisa Bernier. Panel members voted by secret ballot. Dr. Malian was elected for the position of co-chair.

The election of a new co-chair was necessary due to Dr. Malian's move to Co-Chair.

Ms. Williams reviewed the duties of the vice chairperson. This is a one-year term. However, the individual elected for this position will complete the term June 30, 2013. An election for the 2013-2014 year will be held at the June 18, 2013 SEAP meeting. Dr. Malian opened the floor for nominations of the vice chairperson. Ron Clanton nominated Mr. Kendall Grant for the position. Edward O'Neill nominated himself for the position. Panel members voted by secret ballot. Mr. O'Neill was elected for the position of vice chairperson.

5. ADE Empowerment Scholarship

Mr. Aiden Fleming, Legislative Liaison, Arizona Department of Education (ADE) gave a presentation 5. on the ADE Empowerment Scholarship. Mr. Fleming is also the administrator for the Empowerment Scholarships Account Program.

5. None.

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The Empowerment Scholarships Account (ESA) was created through an act of the Arizona

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Legislature in 2011. The program expands school choice.

Funds from this fund are given to a parent on a debit card. The parent can then freely choose education options throughout the state; it is not limited to private schools.

This scholarship was initially created for special needs children only. In 2012 it was expanded to include children in the following categories:

D or F (state accountability system) schools active duty military families
Permanently placed foster care programs
Adoptive programs.

Requirements for qualifying for the scholarship include:

- Child must have been attending a public school the previous school year for the first 100 days
- Child must meet one of the category requirements listed above or qualify as a special needs student

The funding approved for the child is based on the funding of the public education agency (PEA) that the child attended previously. If the child is a special needs student an additional Group B weight is added.

At the time of the SEAP meeting there were 3 bills going through the Legislature that could affect the Empowerment Scholarship.

- 1. Anti-Fraud Bill
- 2. Bill may affect funding would treat all students as if all were charter school students. This may increase base funding for each student.
- 3. Bill would require testing the scholarship recipients. Students who currently have the empowerment scholarship are not subject to AIMS testing.

Mr. Fleming had two purposes for his presence at the SEAP meeting: to inform the Panel about how the Empowerment Scholarship is handled; and to solicit advice on the appropriate education expenses. The most difficult area to determine is the field of Educational Therapy. Mr. Fleming asked SEAP members to contact him if they were interested in joining an advisory panel to help determine the educational expenses.

ESA staff are creating a handbook for guidance on how to use the scholarship debit card. Parents occasionally have difficulty purchasing education items based on the retailer.

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When the legislature originally wrote the statute there were some issues about evaluations and about returning to the district that can evaluate the child to make sure that the State is funding the child according to his/her need. This is a very difficult issue right now. Currently, students are pulled out of the school. They are on this program on a 1 year contract and by signing that contract they give up the right to FAPE (Free Appropriate Public Education). So the question is, "Why would a district create an observational analysis of an IEP (Individualized Education Program) when they can't observe the child and the child has given up his/her right to FAPE?" There is a concern about the cost and accuracy of the observation since the child no longer attends school in the district.

Until a uniform policy is created, a stopgap was put in statute last year to treat these children as if they are coming in off the street through an MET (Multi-disciplinary Evaluation Team) process. Current statute states that the child has a right to go to a district through Child Find and get identified every 3 years.

Currently, it is very difficult for the state to assign an amount to give a child over the course of their entire educational span. There isn't an evaluation process in place. It wouldn't be accurate or fair if the disability became more severe (or less severe) and an additional evaluation was required.

One current option for the evaluation is to go to the private school the student is attending. The bill is in conflict of interest as the student could be reevaluated to a disability that pulls in a higher funding amount.

Arizona relies on its PEAs to create an MET once every three years for special education children. ADE is having internal meetings about the accuracy of private school evaluations as well as asking districts to provide the evaluations. ADE would like to have a better process established.

Mr. Fleming answered Panel questions regarding a child's former PEA of residence vs. the current PEA of residence (district where private school is located) in regards to the evaluation. [Attachment 1]

Mr. Fleming fielded general questions from the Panel regarding the empowerment scholarship.

There are currently 302 students accessing the ESA. There are approximately 190 applicants currently being processed. ADE is expecting up to 800 applications by the May deadline.

This is a new program for everyone. Out of the 302 accounts currently active, there were approximately 1,500 applications. The reason for that is twofold: the parent has been approved (the vast majority are approved) but then they realize that the money will not work with their situation – they aren't getting enough funds to provide the education that they want – so they decline the award; the second reason is that having the account is a lot of work. A parent has to turn in reports quarterly and track expenses, among other requirements. A lot of reporting is required for transparency of the

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funds.

There is a bill currently going through the legislature that would cap the number of recipients to .5 percent of the total number of children in the state public education system.

The ESA is not just for tuition or curriculum. There is a whole litany of educational choices. One of those choices is a 529 Account. An individual can take the unspent funds for that school year and put it into a 529 College Savings Fund. Once the funds are removed from the ESA card and moved to a 529 Account they can be viewed as income and, therefore, taxable.

Dr. Malian asked Mr. Fleming to send the Panel a list of his top 3 issues that they could review and potentially generate solutions.

Mr. Fleming informed the Panel that Arizona is currently involved in a lawsuit regarding the ESA program. The state won the lower court battle but it is now being appealed at the Court of Appeals. Arizona is waiting for the decision. The main argument of the lawsuit is that the state cannot give public funds to a religious institution.

Last year ESA distributed \$1.4 million. This year ESA has distributed \$5.2 million. Mr. Fleming anticipates that it will be close to \$10 million by the end of next year.

Approximately 95 - 98% of the funds are used for:

- 1. Tuition and fees for a private school
- 2. Curriculum
- 3. Tutors
- 4. Paraprofessionals
- 5. Educational Therapy

One of the biggest issues for regulation is Educational Therapy. There are many types of therapy that can go into this category. ADE knows what districts use. These types of therapies are automatically approved. There are some therapies in the "bad science" list and they have been put on the disapproved list. However, there are so many activities that can be considered education therapy that ADE does not have the resources to research every option. So there is a huge grey area and ADE has to be diligent about approving valid therapies.

6. Teacher Certification Change Proposals

Dr. Lisa Aaroe, Director of Recruitment and Retention, ADE/ESS explained to the Panel why ESS is considering moving from certification based on disability categories to certification based on level of severity. There would be 2 different certifications; one would focus on mild-moderate and the other on severe/profound.

None.

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Current special education certificates are disability based and not on level of severity. Dr. Aaroe's main concern is that they appear to lack "rigor" and this is especially the case with the current cross-categorical certificate. [Attachment 2]

There are four foundational classes that are mandatory for special education certification in each level of severity: Foundational, Methods, Diagnosis and Assessment, and collaborative practices. Additionally, there will be 3-4 courses that focus on methods and legal aspects. The rest of the courses in special education will be electives since candidates need 37 semester hours in coursework and 8 semester hours in student teaching.

The term "mental retardation" is still in use despite the fact that Rosa's Law was passed in October 2010. In addition to Arizona, there are 7 other states that use the term "mental retardation" or something close to it and this is out of compliance with federal. Arizona currently has a certificate in "mental retardation", so the certification changes being proposed would change the terminology to "intellectual disability" to coincide with legal requirements.

Another reason to change special education certificates has to do with research. According to research, teachers shouldn't teach according to the disability category, they should teach to the individual child's needs and teacher training is more effective if it is centered on level of support needed and not based on disability.

There are only 13 states, including Arizona, that certify teachers by category of disability. Other states certify by level of severity. CEC and InTASC standards are also focused on level of severity.

Stakeholder group meetings have been held to consider how to update the current special education certificates in Arizona.

A meeting held in September 2012 focused on the possibility of moving to a certificate that would cover intellectual disabilities (ID) across the spectrum. It would include intellectual disabilities from mild to severe/profound.

After this stakeholders meeting there was a lot of concern about moving ID across the spectrum and not considering cross-categorical, learning disabilities (LD) and changes in other disability categories.

The group met again in January 2013. The following topics were discussed:

- 1. Level of severity (2 certificates)
 - a. Mild to moderate
 - b. Moderate to severe/profound

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- Specializations in LD, ED, autism, intellectual disability
- 3. More rigor overall
- 4. Outcomes:
 - a. Higher reciprocity and easier to hire
 - b. Better-prepared teachers

A third meeting was held on March 4, 2013. The stakeholders brainstormed classes that would be required for the two certificates. It was decided that many of the items that teachers needed to know could be imbedded into current classes.

Individuals that currently have a special education certificate or receive a special education certificate prior to approval of the new certificates would be grandfathered in under current certification requirements. The goal is to have the certificates approved by Fall of 2014.

The new certificates have to be approved by a Certification Committee and then by the Arizona State Board of Education before being put into use.

Dr. Aaroe fielded questions from the Panel.

A survey will be sent out to special education directors to help finalize the proposed changes to coursework.

The School Psychologist Interim Certificate will be repealed (depending on final approval from the Board). This was put into place because Arizona needed more school psychologists. Effective January 9, 2013, only one individual holds this certificate. The individual who holds the certificate is 3 credit hours away from getting her full certificate. That will be at the end of this semester.

There will be a moratorium on Other Health Impaired (OHI). Again, this is dependent on Board approval. There are 145 individuals who currently hold this certificate in Arizona. They also hold another certificate as well so putting a moratorium on this certificate will not adversely affect them. Effective January 9, 2013 only 4 individuals hold only the OHI certificate. Those 4 would be grandfathered in to continued practicing in their educational setting and would not be adversely affected.

The Panel broke for lunch after Dr. Aaroe's presentation and returned at 12:50 pm.

[Ron Clanton left the meeting at the lunch break.]

[Dr. Diane Bruening arrived at 12:50 pm.]

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Common Core/PARCC Assessment. Jessica Eilertson, Coordinator for Assessment Support Materials and Mathematics, ADE updated the 7. None. Panel on Partnership for Assessment of Readiness for College and Careers (PARCC) activities.

The main purpose for PARCC is that it is evidence driven. Before the test could be created claims had to be made based on the Common Core Standards. This is the goal of this test. [Attachment 3]

According to the ACT definition adopted by Common Core: College and career readiness is the acquisition of the knowledge and skills a student needs to enroll and succeed in credit-bearing, first year courses at a postsecondary institution (such as a two or four year college, trade school, or technical school) without the need for remediation.

The national professional organization for CTE has drafted a definition for career readiness: "Career readiness involves three major skill areas: *core academic skills* and the ability to apply those skills to concrete situations in order to function in the workplace and in routine daily activities; *employability skills* (such as critical thinking and responsibility) that are essential in any career area; and *technical*, *job-specific skills* related to a specific career pathway."

The key shifts in Mathematics are:

- 1. **Focus** strongly where the Standards focus
- 2. Coherence: Think across grades, and link to major topics within grades
- 3. **Rigor:** In major topics pursue **conceptual understanding**, procedural skill and **fluency**, and **application** with equal intensity.

There are five sub-claims for Mathematics. However, the master claim, as always, is that students will be on-track for college and career readiness.

There are three types of tasks that will be included on the PARCC summative math assessments. Ms. Eilertson provided examples.

Only 20% of the PARCC Mathematics test will be technology enhanced.

English Language Arts (ELA)/Literacy Shifts at the Heart of PARCC Design:

- 1. **Complexity:** Regular practice with complex text and its academic language.
- 2. Evidence: Reading and writing grounded in evidence from text, literary and informational.
- 3. **Knowledge:** Building knowledge through content rich nonfiction.

Ms. Eilertson reviewed the claims that drive ELA/Literacy and provided examples of test items.

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The performance-based assessment scores and the end of year assessment scores will make the composite summative score for a student.

Common Core includes literacy standards in history, social studies, science, and technical subjects. These standards will be tested on the PARCC assessments, both on the performance based assessment AND on the end of year assessment. Literacy is something that crosses content boundaries and needs to be addressed by ALL teachers.

The major shifts in assessment (from AIMS to PARCC) include:

- Each item tied to multiple standards
- Use of technology enhanced items
- Writing tied to reading (ELA/Literacy)

The reading accommodation and calculator policies survey results are in and the feedback was very positive. These results are being compiled and should be released soon. Arizona had the largest number of respondents of any of the PARCC states.

[Ron Clanton returned to the meeting at 1:20 p.m.]

The writing accommodation policies were released for public comment in February. The feedback window has closed and the results are being compiled as well. You can still view the writing accommodations on the parcconline.org website.

The accommodations and accessibility guidelines manual is due for release in the spring.

Ms. Ahumada informed the Panel that PARCC will be sending out an additional survey asking about specific software and version of the software that schools are using with their students. It was due to be sent out the following week.

Ms. Eilertson and Ms. Ahumada fielded Panel questions. [Attachment 4]

8. Exceptional Student Services.

Some items on the agenda were taken out of order due to presenter availability. Items from Exceptional Student Services were presented throughout the meeting.

8. None.

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Valerie Andrews-James, Director, Early Childhood Special Education (ECSE) informed the Panel that the January 2013 Early Childhood Education Newsletter contains an article regarding Teaching Strategies GOLD, the statewide instrument to measure child outcomes. This tool is used gather data for Indicator 7: Preschool Outcomes in the State Performance Plan/Annual Performance Plan (SPP/APR).

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None.

Angela Denning, Deputy Associate Superintendent, ADE/ESS updated the Panel on ESS activities.

ESS has submitted the red-line of the State Performance Plan and the Annual Performance Report for FFY 2011. It isn't finalized yet. The Office of Special Education Programs (OSEP) will review the report and give the state advice on changes to the report. Ms. Denning provided the Panel with a draft of the Executive Summary and briefly reviewed the document.

Ms. Denning fielded questions from the Panel.

Members' Reports from the Field.

Ron Clanton

 DDD Advisory Panel has finished their review of the new IEP format. The forms are on the DDD website. A narrative page has been added.

David Kendall Grant

- Parents are unsure about how much they can advocate for their children in the IEP process
- Teachers/parents are unaware of how to access electronic editions of textbooks

Edward O'Neill

 Speech Language Technicians – Individuals in the field are wondering what Arizona is going to do with the limited license.

Susan Douglas

- Increasing concern regarding the incredible requirements that small charters are to be held to large district requirements
- Bandwidth and electricity concerns for new PARCC assessment

Diane Bruening

- IDEA Reauthorization SEAP Input
- Schools suffer from special education teachers with low teaching skills don't know the content
- Need quality professional development learning communities
- Related Services There aren't equitable services across Arizona and the nation

Patricia L. Carey

- Child Welfare Trying not to lose children in "the system"
- Desperate need of surrogate parents to help students with IEPs
- Working with head start to get more foster children involved in head start programs; Arizona has the lowest number of children in head start

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Amanda Heyser

- Teacher: There have been so many budget cuts that there isn't enough supervision for students
- Teacher: Has a 19 year old student in her high school self-contained life skill classroom; he
 is his own guardian and is living without water and electricity; what can she do [Adult
 Protective Services advised by other Panel members]
- Parents: They are having trouble getting therapeutic services through DDD even though they
 have the appropriate diagnosis through the appropriate person

Laura Schweers

- Cofounder of Project SEARCH is coming to Tucson on March 20 and Phoenix on March 21.
- Working to develop a new program in the West Valley.

Nancy Williams

- All teachers teaching toward Common Core beginning next year huge training task for districts
- Concern from teachers who teach students with Severe Learning Difficulties (SLD) at the high school level – time needed to address each concept
- Need state-level training for teaching methods for common core as district budgets are strained; possible webinars, Moodle courses, etc.
- As a parent, Ms. Williams has been working with the behavioral health authority in Maricopa County, along with other parents, trying to identify barriers that parents are facing with their children with disabilities in the behavioral health system
- o One barrier is that there isn't a uniform system for addressing a student's needs linking behavioral health authority with education

Gail Jacobs

 Thanked everyone for allowing her to serve on Panel representing the Secure Care Juvenile population

[Leanne Murrillo left the meeting at 1:45 p.m.]

Ida Malian

- Certification is going to be a hot issue for all universities
- Declining enrollment in all the Arizona universities; declining enrollment in special education programs
- Students don't want to become teachers anymore across the board, not just special education

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- Initiatives at all universities to look at STEM (Science, Technology, Engineering, and Mathematics) education
- Recommended that Panel possibly create a white paper on thoughts regarding education

Lisa Bernier

- Unmet need: parent and teacher knowledge; the empowerment scholarships and other vehicles whereby parents can choose to take their children from a public school to a private school
- Her private school (Valley Christian High School) is hosting a collaborative disabilities training conference for parents and teachers on May 4; for more information go to:
 http://events.r20.constantcontact.com/register/event?oeidk=a07e7610a7fc9bdf8e7&llr=swek5 ihab

Ashley Hafner

- Recent budget cuts and their effect on special education funding; worrisome
- Aware of a tremendous push for legislative awareness related to "small voices should be heard"

Christopher Tiffany

- Parents have a conflict with Empowerment Scholarship Accounts and Medicaid funding; could have a statewide impact
- Supports full service schools
- Raising Special Kids is hosting "Special Day for Special Kids" on March 23

Amy Vanderluit

- Would like to have continued updates on Empowerment Scholarship
- Functional behavioral assessments have a more standardized form

[Dr. Ida Malian left the meeting at 2:30 p.m.]

[Lisa Bernier left the meeting at 2:30 p.m.]

 Special Education Advisory Panel Business.

Consideration of Items for Advisement

- Empowerment Scholarship Letter to Aiden Fleming summarizing concerns:
 - o Foster child eligibility
 - Medicaid Income
 - Updates in legislature

Key Points Summary of Meeting:

10. None.

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- Audra Ahumada, AIMS A Coordinator, updated the Panel on the development of the assessments for the Common Core Standards
- Aiden Fleming provided the Panel with information on the Empowerment Scholarship Account (ESA)
- Dr. Lisa Aaroe, Director of Recruitment and Retention updated the Panel on proposed certification changes for special education certificates

11. Adjournment.

The next SEAP meeting is scheduled for May 21, 2013. It will be held at the Arizona Department of 11. Adjournment. Education, 1535 W. Jefferson, Room 417, Phoenix, AZ.

Items for next agenda

- Surrogate Parents (Training and Recruitment) Candice Trainor
- Assistive Technology ADE Assistive Technology Staff
- Bylaws Approval
- Early Childhood Special Education Val Andrews-James [Standing agenda item]
- ESA Updates Aiden Fleming
- Standardized IEPs Angela Denning
- SPP/APR Angela Denning and Cynthia Bolewski
- Common Core Assessment and Accountability Staff [Standing agenda item]
- Teacher Training Angela Denning
- Certification Update Lisa Aaroe

The meeting was adjourned at 3:10 pm.